



United States Department of Agriculture

Food Safety and
Inspection Service

Office of Field
Operations

Springdale District

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Springdale, AR 72764
Voice 479-751-8412
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August 28, 2019

Via email: brentbankhead@gmail.com
FedEx tracking # 776102099954

Mr. Brent Bankhead, President / GM
Ozark Meats Inc, Est. M45572 P45572
HC 1 Box 45M
Grandin, MO 63943

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Bankhead,

On August 13, 2019, the Food Safety and Inspection Service (FSIS) notified you of the suspension of the assignment of inspection personnel at your facility. This Notice of Reinstatement of Suspension was based on Title 9 Code of Federal Regulations (CFR) Rules of Practice 500.3(b) (Rules of Practice) due to your establishment's failure to prevent inhumane handling and slaughtering of livestock at your facility as required by 9 CFR 313.16(a)(1) and 313.16(a)(3).

On August 21, 2019, you provided a written response (Action Plan) to the Notice of Suspension via email, beginning a dialogue with FSIS that concluded with your final Action Plan submission on August 27, 2019. FSIS analyzed the corrective and preventive measures provided in your Action Plan and subsequent revisions, and determined they represented compliance or the intent to comply with all applicable regulations. Therefore, FSIS will hold the suspension in abeyance pending verification by FSIS personnel that your action plan is effectively implemented. This letter serves as formal notification that the suspension is being held in abeyance.

An abeyance is a moratorium on the effect of a suspension. Once a suspension is imposed, the Agency may put it into abeyance if the establishment undertakes corrective and preventive actions that the Agency finds will ensure the conditions that were the basis for the suspension will be eliminated, and the action plan is effectively implemented. During the abeyance period, FSIS personnel will evaluate your corrective and preventive actions to ensure their effectiveness.

A copy of FSIS' Verification Plan is being shared with you to assist in understanding the nature and importance of the Agency's verification activities. This FSIS Verification Plan is designed to verify that your establishment fully implements the Action Plan identified in your August 21, 2019, August 26, 2019 and August 27, 2019 proposals and subsequent clarifications, and that measures proffered are effective in assuring ongoing regulatory compliance. It identifies the regulatory noncompliance, your actions, and FSIS verification procedures.

Please be advised that your failure to comply with statutory and regulatory

Brent Bankhead, President/GM
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requirements, to implement the corrective actions identified in the action plan, and/or failure to notify this office in writing of any changes to the action plan may result in us initiating further regulatory action as deemed necessary at the time. **During this period of abeyance, any changes made to the action plan need to be submitted to this office for review and comment prior to you putting the changes into place.** FSIS inspection program personnel will notify the Frontline Supervisor and District Office immediately when modifications are made to the action plan and your establishment fails to notify this office.

If you have any questions, please contact this office.

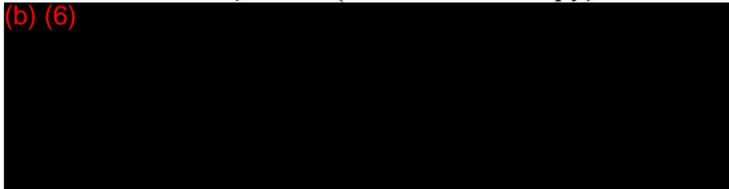
Sincerely,



Robert Q. Bane
District Manager

Cc: Ms. Geraldine French, Acting EARO (via electronic copy)
Mr. Jeffery Barham, DDM (via electronic copy)
Dr. Don Dowdle, DDM (via electronic copy)
Dr. Evan Sumner, DDM (via electronic copy)

(b) (6)



FO/Quarterly Reports (via electronic copy)

FSIS Verification Plan

Ozark Meats, Inc. (M45572 / P45572)

Background that led to enforcement action (Bkgd)

Related Regulations (Reg)

Establishment Action Plan (AP)

Related Establishment Records (Rec)

FSIS Verification Activity (VA)

Frequency of Verification Activity (Freq)

Related PHIS Task (PHIS)

On 8/13/19, FSIS notified you of the suspension of the assignment of inspection personnel at your facility based on 9 CFR 500.3(b), Rules of Practice. This action was based on your failure to prevent inhumane handling and slaughtering of livestock at your facility (9 CFR 313.16(a)(1) & 313.16(a)(3)). On 8/21/2019, you provided Action Plan via email. FSIS analyzed the corrective and preventive measures, which included actions to prevent the recurrence of inhumane handling of livestock. FSIS held the suspension in abeyance pending verification by FSIS personnel that your action plan is effectively implemented.

9 CFR 313.16(a)(1) & 9 CFR 313.16(a)(3)

VP1 On 8/14/2019, all employees who perform slaughter were trained on the laws and regulations associated with the human slaughter of animals; trained on the diagrams displaying the optimal shot placement for various species; and reviewed the video that revisited the technique for ideal shot placement.

Training Record

Verify through records review, that on 8/14/2019, all employees who perform slaughter were trained on the three points discussed above.

Once

Livestock Humane Handling

On 8/13/19, FSIS notified you of the suspension of the assignment of inspection personnel at your facility based on 9 CFR 500.3(b), Rules of Practice. This action was based on your failure to prevent inhumane handling and slaughtering of livestock at your facility (9 CFR 313.16(a)(1) & 313.16(a)(3)). On 8/21/2019, you provided Action Plan via email. FSIS analyzed the corrective and preventive measures, which included actions to prevent the recurrence of inhumane handling of livestock. FSIS held the suspension in abeyance pending verification by FSIS personnel that your action plan is effectively implemented.

VP2 9 CFR 313.16(a)(1) & 9 CFR 313.16(a)(3)

On 8/26/2019, all employees who perform slaughter were trained on humane slaughter of swine. Updated forms were placed within the Kill Room.

Training Record

Verify through records review, that on 8/26/2019, all employees who perform slaughter were trained on ideal shot placement and the form is present in the Kill Room.

Once

Livestock Humane Handling

On 8/13/19, FSIS notified you of the suspension of the assignment of inspection personnel at your facility based on 9 CFR 500.3(b), Rules of Practice. This action was based on your failure to prevent inhumane handling and slaughtering of livestock at your facility (9 CFR 313.16(a)(1) & 313.16(a)(3)). On 8/21/2019, you provided Action Plan via email. FSIS analyzed the corrective and preventive measures, which included actions to prevent the recurrence of inhumane handling of livestock. FSIS held the suspension in abeyance pending verification by FSIS personnel that your action plan is effectively implemented.

9 CFR 313.16(a)(1) & 9 CFR 313.16(a)(3)

VP3	For the next 90 days, the Kill Floor Team and Management will review any animal slaughtered that requires more than one shot to render unconscious. Review will include preservation of the head to study the shot placement. A form will log the event with an assessment of how to improve the process.
	Humane Slaughter Log
	Verify through records review and direct observation that the Kill Floor Team and Management are reviewing the slaughter of any animal requiring more than one shot to render unconscious. This includes the review of the shot placement in preserved heads and forms used for documentation.
	Any animal slaughtered requiring more than one shot to render unconscious during the next 90 days.
Livestock Humane Handling	
VP4	On 8/13/19, FSIS notified you of the suspension of the assignment of inspection personnel at your facility based on 9 CFR 500.3(b), Rules of Practice. This action was based on your failure to prevent inhumane handling and slaughtering of livestock at your facility (9 CFR 313.16(a)(1) & 313.16(a)(3)). On 8/21/2019, you provided Action Plan via email. FSIS analyzed the corrective and preventive measures, which included actions to prevent the recurrence of inhumane handling of livestock. FSIS held the suspension in abeyance pending verification by FSIS personnel that your action plan is effectively implemented.
	9 CFR 313.16(a)(1) & 9 CFR 313.16(a)(3)
	One swine slaughtered under FSIS inspection will have the head set aside to review the shot placement as well as the positioning of the cranium. Documentation of this process will be used for ideal shot placement and effectiveness of the caliber.
	Humane Slaughter Log
	Verify through records review and direct observation that the establishment is reviewing the set aside head of one swine per week. Review includes documentation of the shot placement and cranium positioning.
Once per week	
Livestock Humane Handling	
VP5	Bkgd5
	Reg5
	AP5
	Rec5
	VA5
	Freq5
	PHIS5
VP6	Bkgd6
	Reg6
	AP6
	Rec6
	VA6
	Freq6
	PHIS6
VP7	Bkgd7
	Reg7
	AP7
	Rec7
	VA7
	Freq7
	PHIS7